

*The actions delineated below were taken in open session of the EPSB at the June 12, 2006, regular meeting. This information is provided in summary form; an official record of the meeting is available on tape in the permanent records of the Education Professional Standards Board (EPSB), 100 Airport Road, 3rd Floor, Frankfort, KY 40601.*

**Education Professional Standards Board (EPSB)  
Summary Minutes of the Business Meeting  
Holiday Inn University Plaza, 1021 Wilkinson Trace  
Bowling Green, Kentucky  
June 12, 2006**

**Members Present:**

Wally Campbell  
James Cibulka  
Lydia Coffey  
Sam Evans  
Kristin Gregory  
Linda Livers  
Rita Presley  
Michael Dailey (for Gene Wilhoit)  
Zenaida Smith  
Wilson Stone  
Tom Stull  
Lorraine Williams

**Members Absent:**

Lonnie Anderson  
Jim Applegate (for Tom Layzell)  
Kent Juett  
Steven Lin

**Call to Order**

Chair Tom Stull convened the meeting at 9:05 am CDT.

**Amendment to Agenda**

*Motion made by Ms. Linda Livers, seconded by Dr. James Cibulka, to amend the June 12, 2006 agenda to add the swearing in of the designee for Dr. Gene Wilhoit, Kentucky Department of Education, and to replace Action Item D, Mentoring Contracts for National Board for Professional Teaching Standards, with a waiver of 16 KAR 7:010, pertaining to the May 1 deadline of the Resource Teacher Timesheets (RTTs).*

**Vote:** *Unanimous*

**Swearing in of Designee for the Department of Education**

General Counsel Brenda Allen administered the oath to Mr. Michael Dailey who attended the Board meeting in the absence of Commissioner Gene Wilhoit.

**Approval of May 15, 2006, Minutes**

*Motion made by Ms. Lorraine Williams, seconded by Ms. Kristin Gregory, to approve the minutes of the May 15, 2006 EPSB meeting.*

**Vote:** *Unanimous*

**Open Speak**

No requests were made for open speak.

## **Report of the Executive Director**

### **Assignment of Task Force**

Dr. Rogers informed the Board of individuals who have agreed to serve on the Education Leadership Redesign (ELR) Task Force, a requirement of House Joint Resolution 14 (sponsored by Rep. Jon Draud) that passed during the 2006 General Assembly. The ELR Task Force includes the Executive Director of the Education Professional Standards Board (EPSB), the Commissioner of the Kentucky Department of Education, the President of the Council on Post-Secondary Education, as well as a diverse group of additional participants representing the education profession across the state.

## **Report of the Chair**

### **Appointment of Nominating Committee for Chair and Vice Chairperson(s)**

Chairman Stull made appointments for the nominating committee. Ms. Kristin Gregory will serve as Chairperson, and Dr. Sam Evans and Ms. Lorraine Williams will serve as Vice Chairpersons.

## **Action Items**

### **A. Teacher Education Model Programs (TEMP) Grant Final Report**

Dr. Marilyn Troupe introduced Dr. Carol Gabbard, who has been the Teacher Education Model Program (TEMP) Grant Director since its inception nearly three years ago. Dr. Troupe asked Dr. Gabbard and three participants of the TEMP Grant, Ms. Brenda Nix, Murray State University; Dr. Sharon Brennan, University of Kentucky; and Dr. Brenda Priddy, Campbellsville University, to report on their experiences with the TEMP Grant.

During her report to the Board, Dr. Gabbard stated that public, state, and private institutions have been heavily involved with the TEMP Grant. Six major goals were addressed within this grant, and Dr. Gabbard reported that there have been concrete examples of accessibility, transportability, and team work, a desire of Representative Harry Moberly during the inception of the grant. She acknowledged several institutions for their ability to leverage funding for the grant to further their goals and was proud to report that Kentucky was recognized nationally for successful projects within the grant. She thanked the EPSB and state agencies for their support and assistance.

Brenda Nix from Murray State University (MSU) discussed the technology goal of the grant at MSU, and Dr. Sharon Brennan discussed No Child Left Behind and how the University of Kentucky addressed the concerns of participating teachers and their students' academic success. Dr. Brenda Priddy discussed two components of the TEMP grant at Campbellsville University. The first component including implementing an "Exploring Kentucky's Rural Roots" project with middle school gifted students and the second component enhanced the recruitment of talented future educators through establishing a regional FEA conference in partnership with Lindsey Wilson College.

Dr. Evans noted that the summary work for goal four of the TEMP Grant contains the following sentence: The grant provided funds, as well, for a pilot program that encourages novice teachers to become National Board Teacher Candidates by their second year of teaching. Dr. Evans requested that the phrase "by their second year of teaching" be deleted because an individual cannot become a National Board Certified Teacher (NBCT) after two years.

Some questions and comments of the Board regarding the TEMP grant included the following: Ms. Williams asked where the TEMP Grant goes from here and how the EPSB will disseminate information about the TEMP grant to the districts. One of the grant evaluators responded that institutions would like to see the grant continue; however, the grant ends June 30 and this program is costly. Dr. Rogers stated that ideas from the grant are an ongoing piece and will be replicated by others. Dr. Evans asked if the project was able to meet the intended outcomes based on the grant.

All grant evaluators agreed that the intended outcomes of the grant were met. Board member Zenaida Smith commented that she would like to see more involvement with more diverse students. Corrected pages of the TEMP Grant report will be provided at the next regular EPSB Board meeting.

#### **2006-052**

*Motion made by Ms. Lydia Coffey, seconded by Ms. Linda Livers, to modify and accept the report of the TEMP Grant.*

**Vote:** *Unanimous*

#### **B. 16 KAR 7:010. Kentucky Teacher Internship Program, Amendment, Emergency, Final Action**

Dr. Evans inquired about a line in 16 KAR 7:010 which states, “Beginning with the 2008-09 school year all school districts and all nonpublic schools participating in the Kentucky Teacher Internship Programs **shall** use the new Teacher Performance Assessment in lieu of the traditional internship assessments.” He asked if the wording in the regulation ensured that the teacher performance assessments must be used beginning with the 2008-2009 school year. Mr. Brown stated that all internships beginning January 2008 would begin using the Teacher Performance Assessment. Mr. Brown further stated that with the current regulation, an intern may complete the internship within two consecutive school years. It is possible that one may begin the internship with the current program and re-enter when the changes to the regulation are made with the TPA. This allows those on medical or military leave to complete an internship. For all new interns, the TPA would be used beginning in January 2008.

#### **2006-053**

*Motion made by Dr. Sam Evans, seconded by Ms. Kristin Gregory, to approve the amendments to 16 KAR 7:010 and extend the use of the Teacher Performance Assessment.*

**Vote:** *Unanimous*

#### **C. Program Approvals**

- Northern Kentucky
- Asbury College

#### **Northern Kentucky**

Dr. Troupe asked Dr. Paul Wirtz from Northern Kentucky University (NKU) to join her at the table to discuss NKU’s program request. Dr. Cibulka asked Dr. Wirtz how this proposal will be impacted by future recommendations of the Master’s Review Committee. Dr. Wirtz responded that NKU’s program is very flexible to all candidates and is not only for candidates pursuing a Master’s Degree in Education. Those candidates pursuing a rank change through NKU’s proposed program could design a series of education courses in collaboration with professional development at their school districts.

Dr. Cibulka asked Dr. Troupe if institutions will be required to address specific components of their program proposals with future recommendations of the Master’s Degree Review Committee and, if so, would NKU be expected to reapply for this program? Dr. Troupe responded that yes, institutions will be expected to reapply and that institutions understand that they apply for these programs at their own risk.

Dr. Sam Evans discussed with Dr. Wirtz the listing of the Interstate School Leaders Licensure Standards in the program proposal. Since candidates could not receive principal certification, it was requested that those standards be removed. Dean Evans also asked Dr. Wirtz how one course could cover all of the experienced teacher standards. Dr. Wirtz responded that candidates would complete a portfolio assessment on each standard. Ms. Kristin Gregory noted that she liked the flexibility of the program for teachers.

#### **2006-054**

*Motion made by Dr. Cibulka, seconded by Ms. Linda Livers, to approve the proposed educator preparation program addition for Northern Kentucky University.*

**Vote:** *Unanimous*

#### **Asbury College**

Dr. Troupe noted a correction to the staff note on page 25. Learning & Behavior 8-12 is the only endorsement; the other proposed program additions are regular certification programs.

#### **2006-055**

*Motion made by Ms. Kristin Gregory, seconded by Dr. Cibulka, to approve the proposed educator preparation program additions for Asbury College.*

**Vote:** *Unanimous*

#### **D. Waiver pertaining to 16 KAR 7:010 pertaining to the May 1 deadline of the Resource Teacher Time Sheets**

16 KAR 7:010 states that the resource teacher time sheets (RTT) are to be submitted to the EPSB by May 1. Though 95% of the time sheets were submitted for payment, several were submitted after May 1. The districts were asked to submit a waiver for payment describing the reasons for the late time sheets and a plan for ensuring the time sheets would be submitted on time. A list was provided to EPSB Board Members of late submitted time sheets for the 2005-2006 school year.

Mr. Brown reported that many of the late time sheets submitted were signed on time by the committee members, but district coordinators failed to approve and submit the time sheets prior to or on May 1. District Coordinators responded that they have several responsibilities. Some district coordinators are also assessment coordinators, and with CATS testing during the same time as the deadline for submitting RTTs, they failed to submit the time sheets in a timely manner.

Historically time sheets were submitted in hard copy, often after the May 1 deadline. Tracking of the dates and mailing of the time sheets was difficult for teachers, so in order to assist, EPSB staff approved payments. With the implementation of the Intern Management System (IMS), the EPSB staff are able to track signature dates on the RTTs, allowing EPSB staff to determine which districts have submitted late RTTs.

Ms. Lorraine Williams stated that she is in favor of paying the resource teachers but wants to maintain the timeline and send correspondence to resource teachers indicating why late payments were received. Mr. Brown stated that EPSB staff can make this part of the process since the EPSB now has access to every resource teacher who has not received a payment.

Mr. Wilson Stone asked if EPSB staff is considering how to fix this problem in the future. Dr. Rogers said the EPSB can design the computer system to send reminder emails. In addition, districts have sent correspondence to the EPSB assuring this will not occur next year. Dr. Rogers believes there will be a 50% reduction in late submitted time sheets next year. Mr. Stone asked if the EPSB has ever paid RTTS beyond July 1. Dr. Rogers said yes but the EPSB does not intend to do this in the future. Ms. Lydia Coffey suggested pushing the date back to May 10 in the future because the May 1 deadline can be difficult to meet towards the end of the school year for those with dual roles. Although she understands the importance of submitting RTTs on time, this increased timeline may decrease the number of late submitted RTTs.

#### **2006-056**

*Motion made by Ms. Lorraine Williams, seconded by Ms. Gregory, to approve the waiver request.*

**Vote:** *Unanimous*

### **Waivers**

#### **A. Ms. Janel Hummel—Waiver of 16 KAR 6:010, Praxis II, Request to waive Principles of Learning and Teaching: Grades K-6 (0522) and Elementary Education: Content Knowledge (0014)**

#### **2006-057**

*Motion made by Dr. Evans, seconded by Ms. Liver's to not waive Principles of Learning and Teaching: Grades K-6 (0522) and Elementary Education: Content Knowledge (0014) and not accept FTCE Professional Education Test and FTCE SAE Elementary K-6 in lieu thereof.*

**Vote:** *Unanimous*

#### **B. Ms. Jennifer Rolling—Waiver of 16 KAR 6:010, Praxis II, Request to waive Principles of Learning and Teaching: Grades K-6 (0522), Elementary Education: Content Knowledge (0014), and Interdisciplinary Early Childhood Specialty Test (IECE)**

#### **2006-058**

*Motion made by Ms. Lydia Coffey, seconded by Dr. Cibulka, to waive the Elementary Education: Content Knowledge (0014) and accept the MTTC Elementary Education (83) and Science (16) tests in lieu thereof, but do not waive the IECE and the Principles of Learning and Teaching: Grades K-6 and do not accept the MTTC Early Childhood (82) or the MTTC Elementary Education (83) in lieu thereof.*

**Vote:** *Unanimous*

**C. Ms. Martha Evans-Nau—Waiver of 16 KAR 6:010, Praxis II, Request to waive Elementary Education: Content Knowledge (0014) and/or Middle School: English Language Arts (0049)**

**2006-059**

*Motion made by Mr. Wilson Stone, seconded by Ms. Lydia Coffey, to waive the Elementary Education: Content Knowledge (0014) and accept the MTTC Elementary Education (83) and Language Arts Elementary (90) in lieu thereof, but do not waive the Middle School English Language Arts (0049) and do not accept the MTTC Language Arts Elementary (90) in lieu thereof.*

**Vote:** *Unanimous*

**D. Ms. Veronica Juarez—Waiver of 16 KAR 6:010, Praxis II, Request to waive Special Education: Teaching Students with Behavioral Disorders/Emotional Disturbances (0371)**

**2006-060**

*Motion made by Ms. Rita Presley, seconded by Ms. Gregory, to not waive Special Education: Teaching Students with Behavioral Disorders/Emotional Disturbance (0371) and do not accept TExES 161 Special Education EC-12 in lieu thereof.*

**Vote:** *Unanimous*

**E. Ms. Pam Harper on behalf of Ms. Tina Grigson-Waiver of 16 KAR 2:160, Request to waive requirement for six graduate hours for a reissuance of a probationary certificate for teacher of Exceptional Children**

**2006-061**

*Motion made by Dr. Evans, seconded by Ms. Livers, to approve the waiver request.*

**Vote:** *Unanimous*

**DISCIPLINARY MATTERS:  
MINUTES OF CASE REVIEW  
June 12, 2006**

*Motion made by Ms. Linda Livers, seconded by Dr. James Cibulka, to go into closed session for the purpose of discussing proposed or pending litigation in accordance with KRS 61.810(c)&(j).*

**Vote:** *Unanimous*

Motion made by Dr. James Cibulka, seconded by Ms. Lorraine Williams, to return to open session.

**Vote:** *Unanimous*

**The following board members concurred with the actions as listed below with the noted exceptions:**

**Tom Stull, Lydia Coffey, James Cibulka, Wilson Stone, Kristin Gregory, Sam Evans, Wally Campbell, Lorraine Williams, Linda Livers, and Rita Presley.**

Attorneys present were Brenda Dinkins Allen, Alicia A. Sneed, and Gary A. Stephens.

**Initial Case Review**

<b><u>Case Number</u></b>	<b><u>Decision</u></b>
06-0124	Admonish
06-0365	Hear
06-0476	Hear
06-0349	Hear
05-11200	Hear
06-0478	Admonish
06-0481	Hear
06-0487	Hear
06-0486	Hear
06-0348	Hear
06-0479	Hear
06-0485	Dismiss Without Prejudice
06-0483	Hear
06-0360	Hear
06-0363	Hear
06-0368	Admonish
06-0474	Dismiss
06-0473	Admonish
06-0484	Hear
06-0362	Hear
06-0477	Hear
06-0366	Admonish
05-12224	Dismiss Without Prejudice
05-08146	Dismiss Without Prejudice
05-07117	Dismiss Without Prejudice

**Character/Fitness Review**

<b><u>Case Number</u></b>	<b><u>Decision</u></b>
06-067	Approve
06-068	Approve
06-065	Approve
06-069	Approve
06-070	Approve
06-071	Approve
06-072	Approve
06-073	Approve

06-075	Approve
06-076	Approve
05-183	Defer
06-077	Approve
06-078	Approve
06-079	Approve
06-081	Approve
06-082	Approve
06-083	Approve
06-084	Approve
06-085	Approve
06-086	Approve
06-087	Approve
06-088	Approve
06-080	Approve
06-089	Approve
06-090	Approve
06-091	Approve
06-093	Defer
06-094	Approve
06-095	Defer
06-096	Approve
06-097	Approve
06-098	Approve
06-099	Approve
06-100	Approve
06-101	Approve
06-103	Approve
06-104	Approve
06-105	Approve
06-106	Approve
06-107	Approve

### **Agreed Orders**

#### **Case Number**

#### **Decision**

05-0358 (James Clinkenbeard)Accept Agreed Order suspending Respondent's certificate for a period of eighteen days with credit for ten days previously served and the remaining eight days to be served from the date of acceptance of this Order by the Board. As part of the agreement, Respondent shall provide written evidence to the Board, prior to June 15, 2007, that he has complied with the following:

1. Eight and one half hours of training/professional development, approved by the Board, in the areas of maintaining an appropriate work-place environment and professional ethics; and
2. Ten hours of community service as approved by the Board.

Should Respondent fail to satisfy either of these requirements, his certificate shall automatically be suspended and remain so until Respondent submits written proof to the Board that he has met all requirements.

Respondent is admonished for failing to exercise prudent judgment in his interactions with colleagues. This Board reminds Respondent that as a principal, he is a role model for students and



teachers alike. It is his responsibility to treat others with dignity and respect and consistently maintain a positive learning and working environment for all.

**Vote:** *Unanimous*

05-0477 (Warren Mowry) Accept Agreed Order Admonishing Respondent for providing inappropriate assistance to a student during the portfolio section of CATS testing. Respondent's conduct violates the dignity and integrity of the profession and the Board will tolerate no further misconduct of this nature from Respondent.

In addition, Respondent will obtain twelve (12) hours of professional development in the areas of ethics training and proper CATS assessment training. Failure to comply with the training requirements by December 31, 2006 will result in an automatic suspension of Respondent's teaching certificate and it will remain suspended until he completes the training requirements contained in this Agreed Order. All expenses for the training will be born by Respondent.

**Vote:** *Unanimous*

05-08160 (Stewart Wade) Accept Agreed Order suspending Respondent's certificate for a period of thirty (30) days beginning from the date off acceptance of this Agreed Order by the Board. Respondent shall surrender the original and all copies of his certificate immediately, by first class mail or personal delivery to the EPSB, 100 Airport Road, 3<sup>rd</sup> Floor, Frankfort, KY 40601.

**Vote:** *Unanimous*

05-0240 (Earl Driskell) Accept Agreed Order suspending Respondent's certificate for a period of ten (10) days from the date this agreement is accepted by the Board.

Furthermore, Respondent is admonished for his failure to maintain the dignity and integrity of the profession and any further conduct of this type will not be tolerated by the Board.

This settlement agreement is expressly conditioned upon the following:

1. Respondent shall provide written proof to the Board that he has received twelve (12) hours of professional development/training in ethics, as approved by the Board, no later than June 30, 2007. Any expense incurred for said training shall be paid by Respondent.
2. Respondent shall provide written proof that he has completed sexual harassment training, as approved by the Board, no later than June 30, 2007. Any expense incurred for said training shall be paid by Respondent.
3. Respondent shall provide written proof to the Board that he has completed twenty (20) hours of community service/volunteer service to state or local 501(c)3 charitable organizations that provide support and care for critically ill children or to a local hospice organization, as approved by the Board, by June 30, 2007.

Respondent agrees that should he fail to satisfy any of the above conditions, his certificate shall be automatically suspended until Respondent provides written proof to the Board that he has completed the conditions.

Upon acceptance of this agreement by the Board, Respondent or his attorney shall immediately surrender the original and all copies of his certificate immediately, by first class mail or personal delivery to the EPSB, 100 Airport Road, 3<sup>rd</sup> Floor, Frankfort, KY 40601. Failure to do so shall result in further disciplinary action by the Board.

**Vote:** *Unanimous*

06-0116 (Wilfredo Martir) Accept Agreed Order suspending Respondent's certificate for a period of six (6) months from the date this order is approved by the Board. Upon acceptance of this

agreement by the Board, Respondent shall immediately surrender the original certificate and all copies of his certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3<sup>rd</sup> Floor, Frankfort, Kentucky 40601.

Reinstatement of Respondent's Kentucky teaching certificate, at the conclusion of the six (6) month suspension period is expressly conditioned upon Respondent providing written evidence to the Board, prior to the date of reinstatement that he has complied with the following:

Respondent shall complete twelve (12) hours of professional development/training in the areas of ethics and appropriate teacher/student relationships and/or boundary issues, as approved by the Board. Any expense incurred for the program shall be paid by Respondent.

Respondent shall also complete a course in the area of sexual harassment counseling to be approved by the Board. Any expense incurred for the program shall be paid by Respondent. Should Respondent fail to satisfy these conditions, his teaching certificate shall not be reinstated.

Respondent is also admonished for his behavior. The Board reminds Respondent that he has a duty to take reasonable measures to protect the health, safety, and emotional well-being of his students. An educator should touch students only when necessary to assist the student or to protect oneself or others from harm. An educator should never threaten students or make comments that could be construed in a sexual manner. The Board will not tolerate any further acts of misconduct by Respondent.

**Vote:** *Unanimous*

05-12229 (David Cignoni) Accept Agreed Order revoking Respondent's certificate for a period of three (3) years from the date this order is approved by the Board. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original certificate and all copies by delivering or mailing them to 100 Airport Road, 3<sup>rd</sup> Floor, Frankfort, Kentucky 40601.

In addition to any educational requirements, issuance of a Kentucky teaching or administrative certificate to Respondent, or on his behalf, at the conclusion of the three (3) year revocation period is expressly conditioned upon Respondent providing written evidence to the Board, at the time of application, that he has complied with the following:

Respondent shall complete twelve (12) hours of professional development/training in the areas of ethics and appropriate teacher/student relationships and/or boundary issues, as approved by the Board. Any expense incurred for the program shall be paid by Respondent.

Respondent shall also complete a course in the area of sexual harassment counseling to be approved by the Board. Any expense incurred for the program shall be paid by Respondent.

**Vote:** *Unanimous*

05-0586 (Ann Peters) Accept Agreed Order Admonishing Respondent for giving improper assistance to a student on his writing portfolio during the administration of the CATS testing of the 2005-2005 school year. The Board reminds Respondent that she has the duty to maintain the dignity and integrity of the profession. Respondent failed in that duty by providing improper assistance to students in violation of the CATS testing regulations. No further conduct of this nature will be tolerated by the Board.

Respondent shall complete three (3) hours of professional development/training in the area of proper CATS testing administration as approved by the Board. This training must be completed by July 31, 2006. Any expense incurred for said training shall be paid by Respondent. Failure to satisfy this requirement will result in her case being reopened.

**Vote:** *Unanimous*

05-11206 (Monte Chance) Accept Agreed Order suspending Respondent's certificate for a period of four (4) days from the date of acceptance of this Order by the Board.

In addition, Respondent's teaching and administrative certificates, including any and all current or future endorsements or areas of certification shall be subject to the following probationary conditions for a period of two (2) years from the date of acceptance of this Order by the Board.

1. Respondent shall not have any more substantiated allegations of misconduct in violation of KRS 161.120 or the Kentucky Code of Ethics for School Personnel. If Respondent has any further substantiated allegations of misconduct in violation of KRS 161.120 and the Kentucky Code of Ethics for School Personnel, his certificate will be automatically suspended for a period of two (2) years.

2. Respondent shall submit written evidence of his completion of twelve (12) hours of professional development/training in the areas of ethics as approved by the Board by January 1, 2007. Any expense for the professional development/training shall be paid by Respondent.

3. Respondent shall submit proof that he has completed, in addition to the twenty-one (21) participant hours of instructional leadership training required by KRS 156.101 (4)(b)(2), six (6) additional hours of instructional leadership training approved by the Kentucky Board of Education in the areas of interpersonal relationships and superintendent leadership instruction by January 1, 2007. Any expense for said training shall be paid by Respondent.

**Vote:** *Unanimous (Ms. Livers, Dr. Evans, recused.)*

Motion made by Ms. Livers, seconded by Ms. Gregory, to adjourn the meeting.

**Vote:** Unanimous

*Meeting adjourned at 12:30 p.m.*

**Next Meeting:**        **August 21, 2006**  
                              **9:00AM**  
                              **EPSB Board Room**  
                              **Frankfort, Kentucky**